

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7717 of 2018

Arising Out of PS. Case No.-210 Year-2015 Thana- BIHRA District- Saharsa

Md. Sarfaraj Alam @ Md. Sarfaraj S/o Md. Nissar @ Nashir, R/o Village-
Sattar , Goudam Tola, P.S.- Bihra, District- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sameer Ranjan, Advocate
For the Opposite Party : Mr. Akbar Ali (APP)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 21-02-2018 Heard learned counsel for the petitioner and the
learned counsel representing the State.

The petitioner wants to renew the prayer of bail which was earlier thrice rejected vide order dated 26.04.2016, 05.07.2017 and 18.10.2017 passed in Cri. Misc. No. 8876 of 2016, Cr. Misc. No. 24632 of 2017 and Cr. Misc. 49963 of 2017 respectively, on the ground that the petitioner is suffering in custody since 12.11.2015, up till now the trial has not been concluded though there was direction to conclude the same within two months. Medical evidence does not support the prosecution version and all the prosecution witnesses have been examined and, as such, the petitioner deserves sympathetic consideration.



The learned A.P.P. opposes the prayer of bail by submitting that the petitioner has committed rape with a dumb and handicapped wife of the informant which was seen by the sister of the informant as well as by the informant.

In the facts and circumstances stated above, finding no good ground for reconsideration of prayer of the bail, again prayer of the bail of the petitioner stands rejected in connection with Sessions Trial No. 99 of 2016, arising out of Bihra P.S. Case No. 210 of 2015 pending in the court of learned 1st Additional Sessions Judge, Saharsa.

However, the learned trial Court is again directed to expedite the trial and conclude the same as early as possible preferably within one month, from date of receipt/production of a copy of this order, failing which if the petitioner at no fault, may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J.)

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